

<b>PRELICENSE INSPECTION</b>	An applicant for an initial license must make his/her animals, premises, facility, equipment, vehicles, and records available for an inspection prior to the issuance of a license to determine compliance with the AWA regulations and standards.
<b>Criteria</b>	<p>An applicant's facility must meet all applicable regulations and standards to obtain a license.</p> <p>The applicant may have up to 2 more inspections within 90 days of the first prelicense inspection to get his/her facility into compliance.</p> <p>If the applicant's facility is not in compliance after 3 inspections or within 90 days of the first prelicense inspection, he/she will forfeit the application fee and must wait 6 months from the date of the last inspection to reapply.</p> <p><b>No regulated activities may be conducted by the applicant until a USDA license is obtained.</b></p>
<b>Pre-Inspection Procedure</b>	<p>The Regional Office will send you (the inspector) a notification that the person has submitted an application for licensure (see page 8.9.9).</p> <p>Contact the applicant within 10 days to determine if a license is required for the activity that he/she is conducting or planning to conduct.</p> <p>If the applicant requires a license:</p> <ul style="list-style-type: none"><li>• set up a date and time for the first inspection NOTE: Prelicense inspections are the only announced inspections.</li><li>• get directions to the facility if necessary</li><li>• discuss any topics that you feel necessary, such as<ul style="list-style-type: none"><li>▶ Program of Veterinary Care</li><li>▶ Exercise Plan for dogs</li><li>▶ Environmental Enhancement Plan for nonhuman primates</li><li>▶ sealing of wood or cement surfaces</li></ul></li></ul>

	<ul style="list-style-type: none"><li>▶ wind and rain breaks</li><li>▶ food and bedding storage</li><li>• inform the applicant that conducting regulated activities without a license is a violation of the AWA</li></ul> <p>If the first prelicense inspection cannot be completed within a reasonable amount of time from the date on the cover letter accompanying the completed application, you (the inspector) should inform the Regional Office in writing as to why an inspection could not be conducted. NOTE: A reasonable amount of time should not exceed 3 months.</p> <p>If the applicant does <b>not</b> require a license:</p> <ul style="list-style-type: none"><li>• explain to him/her which activities/animals are regulated</li><li>• inform the Regional Office in writing either by a memo or by a notation on the notification letter</li></ul> <p>If you are <b>unable to contact</b> the applicant:</p> <ul style="list-style-type: none"><li>• document the date and time of all attempted contacts</li><li>• inform the Regional Office in writing, including the dates/times of the attempted contacts</li></ul> <p>NOTE: You (the inspector) may initiate the prelicense process without Regional Office notification, e.g., at the time of a search.</p>
<p><b>Inspection Procedure</b></p>	<p>The prelicense period is the best time to educate the applicant about the AWA regulations and standards. The time spent explaining what is necessary to be in compliance will benefit the applicant, the animals, and the agency. Encourage the applicant to ask as many questions as necessary to clarify his/her responsibility.</p> <p><b>The basic steps detailed below are the components of a prelicense inspection and need to be performed. However, the exact order is left to the discretion of the individual inspector.</b></p>

*Discuss the inspection process*

Explain to the applicant that you will be:

- inspecting the animals and facilities
- identifying and discussing noncompliant items
- discussing general husbandry practices
- discussing veterinary care, and if applicable, exercise for dogs, environmental enhancement for nonhuman primates, etc.
- examining records
- discussing dog/cat identification, if applicable
- answering questions

*Review applicable required written plans, such as:*

- Program of Veterinary Care
- Exercise Plan for Dogs
- Environmental Enhancement Plan for Nonhuman Primates

*Explain identification requirements for dogs and cats:*

- discuss how to obtain an official tag, a tattoo code or approval for use of a microchip
- inform the applicant that the dogs/cats must be properly identified as soon as possible after he/she receives the license number

*Explain record-keeping requirements:*

- supply the applicant with a set of official forms
- instruct the applicant how to properly complete the forms
- instruct the applicant how to order more forms

*Review the Application for License (APHIS Form 7003-A):*

- make sure the information is complete and correct  
NOTE: If there are any errors, have the applicant fill out a new Application form.
- review the process for calculating the license fee

**Animals Present**

*If animals are present, conduct a thorough inspection of the physical facilities and animals:*

- identify all noncompliant items, making sure the applicant understands the problem

<p><b>No Animals Present</b></p>	<ul style="list-style-type: none"> <li>• explain the requirements of the standards, such as:             <ul style="list-style-type: none"> <li>▶ food/bedding storage</li> <li>▶ daily cleaning</li> <li>▶ sanitation of food dishes/water bowls</li> </ul> </li> <li>• anticipate and discuss problems that may occur:             <ul style="list-style-type: none"> <li>▶ at other times of the year</li> <li>▶ with a change in the size of the animal</li> <li>▶ with an increase in the number of animals</li> </ul> </li> <li>• ask questions about the operation of the facility, if necessary, to ascertain compliance</li> <li>• ask the applicant if he/she intends to acquire other species of animals and discuss the standards for those animals</li> </ul> <p><i>If <b>no</b> animals are present, determine what species of animals are to be housed at the facility and conduct a thorough inspection:</i></p> <ul style="list-style-type: none"> <li>• determine if the facility can meet the requirements for that species</li> <li>• identify all noncompliant items, making sure the applicant understands the problem</li> <li>• explain the requirements of the standards, such as:             <ul style="list-style-type: none"> <li>▶ food/bedding storage</li> <li>▶ daily cleaning</li> <li>▶ sanitation of food dishes/water bowls</li> </ul> </li> <li>• anticipate and discuss problems that may occur:             <ul style="list-style-type: none"> <li>▶ at other times of the year</li> <li>▶ with a change in the size of the animal</li> <li>▶ with an increase in the number of animals</li> </ul> </li> <li>• ask questions about the operation of the facility, if necessary, to ascertain compliance</li> </ul>
<p><b>Inspection Report</b></p>	<p>In the inspection report template:</p> <ul style="list-style-type: none"> <li>• put the customer number in the license number block</li> <li>• specify the number of the prelicense inspection (1<sup>st</sup>, 2<sup>nd</sup>, or 3<sup>rd</sup> Prelicense) in the type of inspection block</li> </ul>
<p><b>No Noncompliant Items</b></p>	<p>If there are <b>no</b> noncompliant items:</p> <ul style="list-style-type: none"> <li>• put the applicable following or similar statements in the</li> </ul>

**Noncompliant Items**

narrative:

- ▶ **“No noncompliances identified this inspection.”**  
(**Ctrl + 7** in the inspection report template)
- ▶ “Applicant wants to be licensed as a Class (*A or B*) dealer.”
- ▶ “NO REGULATED ACTIVITIES MAY BE CONDUCTED UNTIL USDA LICENSE IS ISSUED.”
- ▶ “Record-keeping requirements were explained to the applicant.”
- ▶ “Identification requirements were explained to the applicant.”
- ▶ “Dogs/cats must be identified with official USDA identification within 30 days after license number is received.”
- if appropriate, document anticipated problems that were discussed as a “NOTE”
- if the applicant pays the license fee, state in the narrative: “License fee received.” (DO NOT ACCEPT CASH.)

If there **are** noncompliant items:

- cite all noncompliant items
- do **not** categorize the noncompliant items
- do **not** give correction dates
- put the following or similar statements in the narrative:
  - ▶ “All items must be in compliance within (*number of prelicense inspections left-2 or 1*) more inspections or by (*date-90 days from 1<sup>st</sup> prelicense inspection*) or applicant will forfeit application fee and must wait 6 months to reapply.”
  - ▶ “NO REGULATED ACTIVITIES MAY BE CONDUCTED UNTIL USDA LICENSE IS ISSUED.”
- if feasible, schedule a date for the next prelicense inspection and state in the narrative: “The next prelicense inspection has been tentatively scheduled for (*date*).”
- at the prelicense inspection where you explain record-keeping requirements, state in the narrative:

<p><b>Failed 3rd Inspection</b></p>	<p>“Record-keeping requirements were explained to the applicant.”</p> <ul style="list-style-type: none"><li>• at the prelicense inspection where you explain identification for dogs/cats, state in the narrative:<ul style="list-style-type: none"><li>▶ “Identification requirements were explained to the applicant.” AND</li><li>▶ “Dogs/cats must be identified with official USDA identification within 30 days after license number is received.”</li></ul></li><li>• if appropriate, document as a “NOTE” anticipated problems that were discussed</li></ul> <p>If the applicant <b>does not pass the 3rd prelicense inspection</b>:</p> <ul style="list-style-type: none"><li>• cite all noncompliant items</li><li>• put the following or similar statements in the narrative:<ul style="list-style-type: none"><li>▶ “Applicant has failed to pass the 3rd prelicense inspection and does not meet the requirements for licensing.”</li><li>▶ “NO REGULATED ACTIVITIES MAY BE CONDUCTED UNTIL USDA LICENSE IS OBTAINED”</li><li>▶ “Applicant will forfeit application fee.”</li><li>▶ “APPLICANT MUST WAIT UNTIL (<i>Date-6 months from the 3rd prelicense inspection</i>) TO REAPPLY.”</li></ul></li></ul>
<p><b>Exit Briefing</b></p>	<p>If <b>noncompliant items</b> have been cited on the first or second prelicense inspection, during the exit briefing:</p> <ul style="list-style-type: none"><li>• discuss the noncompliant items cited</li><li>• show the applicant the section of the regulation/standard cited, if requested</li><li>• explain the 3 inspections/90 day rule</li></ul> <p>If <b>no noncompliant items</b> have been cited on the prelicense inspection, during the exit briefing:</p> <ul style="list-style-type: none"><li>• discuss the enforcement process, e.g., APHIS Form 7060, stipulations, license suspension/revocation</li></ul>

	<ul style="list-style-type: none"><li>• inform the applicant that the inspection reports are available to the public through the Freedom of Information Act</li><li>• collect the license fee or instruct the applicant how to submit the license fee to the Regional Office (DO NOT ACCEPT CASH.)<ul style="list-style-type: none"><li>▶ note on the inspection report whether the license fee was received or the applicant will be sending the fee to the Regional Office</li></ul></li></ul> <p>NOTE: The license will not be issued until the payment has cleared normal banking procedures.</p> <ul style="list-style-type: none"><li>• explain that he/she is subject to periodic unannounced inspections throughout the year</li><li>• ask the applicant for his/her schedule</li><li>• ask the applicant if there is a phone number or another person you can call, if he/she is not at home</li></ul>
<p><b>Post-Inspection Procedure</b></p>	<p>Inform the Regional Office in writing if during the prelicense period:</p> <ul style="list-style-type: none"><li>• the applicant requests cancellation of the prelicense process and is unwilling or unable to contact the Regional Office, or</li><li>• you, the inspector, request the prelicense process be canceled for reasons, such as:<ul style="list-style-type: none"><li>▶ applicant's facility failed to pass three prelicense inspections</li><li>▶ applicant moved out of your territory</li><li>▶ applicant never contacted you to schedule the next prelicense inspection</li></ul></li></ul> <p>NOTE: If the applicant does not contact you prior to the end of the 90 day prelicense period, you should contact the applicant to determine his/her status.</p> <p>If after the first or second prelicense inspection, the applicant informs you that he/she will not be able to complete the prelicense process in the 90 day period, you should discuss with the applicant:</p> <ul style="list-style-type: none"><li>• the reason the deadline cannot be met, and</li><li>• how much additional time may be needed</li></ul>

If in your professional judgment, the reason and the additional amount of time needed is:

- valid:
  - ▶ determine a date for the next inspection
  - ▶ inform the Regional Office in writing of your discussion with the applicant
- invalid:
  - ▶ recommend that the applicant cancel his/her application to avoid the 6 month waiting period to reapply

NOTE: Applicant will not be refunded the Application Fee and must submit a new Application for License and Application Fee if he/she does reapply.